

Message Text

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46

ACTION NEA-16

INFO OCT-01 ISO-00 SCS-03 SCA-01 L-03 H-03 SS-20 NSC-07

CIAE-00 INR-10 NSAE-00 RSC-01 PRS-01 DRC-01 /067 W

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R 251115Z JUN 74

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 2255

LIMITED OFFICIAL USE NEW DELHI 8401

THE FOLLOWING TELEGRAM SENT ACTION NEW DELHI
ON JUNE 24,1974 FROM CALCUTTA IS REPEATED FOR YOUR INFO

QUOTE

CALCUTTA 1278

E.O. 11652: N/A

TAGS : PFOR CASC IN

SUBJECT : HARCOS/FLETCHER: PROSECUTION'S OBJECTIONS TO CONSULAR
ACCESS

REF : CALCUTTA 1242

1. FOR THE RECORD WE HAVE OBTAINED A COPY OF THE OBJECTIONS WHICH
THE PROSECUTION (THE GOVERNMENT) RAISED IN OBJECTION TO THE PRAYER
(PETITION) SUBMITTED BY THE AMERICAN VICE-CONSUL
FOR CONSULAR ACCEES ON JUNE 15
(CALCUTTA 1200).

2. "THE STATE VS. RICHARD WINN HARCOS AND OTHERS UNDER SECTIONS
3, 6, 9, OF THE OFFICIAL SECRETS ACT READ WITH SECTION 120B OF
THE INDIAN PENAL CODE, THAT THE HUMBEL PETITION OF THE STATE STATES:
(A) THAT THE STATE OBJECTS TO THE PRAYER OF THE VICE CONSUL AS THE
GROUNDS STATED BY HER WERE NOT SUFFICIENT TO CALL FOR AN ORDER IN
HER FAVOUR AND SHE IS NOT A DOCTOR EITHER; (B) THAT THE HEALTH AND
COMFORT OF THE ACCUSED ARE MATTERS OF THE JAIL SUPERINTENDENT AND
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THOSE OF THE COURT UNDER LAW; (C) THAT THE PETITION IS INTENDED TO

GET A CHANCE FOR DISCUSSION OF THE CASE WITH THE ACCUSED WHICH ARE
PROHIBITED BY THE SPECIAL LAW; THE OFFICIAL SECRETS ACT;
(D) THAT TO SAFEGUARD THE INTEREST OF THE STATE AND TRIAL IF
YOU HONOUR ALLOWS HER PRAYER, THE INTERVIEW SHALL TAKE PLACE IN
THE PRESENCE OF THE POLICE AND WITHIN THEIR HEARING AND THE INTER-
VIEW SHALL BE STRICTLY CONFINED TO THE HEALTH MATTER AS STATED BY
HER." COMMENT: PLEASE NOTE THAT AT LEAST FOR THE PURPOSES
OF THIS PETITION, ALL THREE SECTIONS (3,6,9) OF THE OFFICIAL SECRETS
ACT ARE BEING LISTED, AS WELL AS IPC SECTION 120B(CRIMINAL CON-
SPIRACY) NOT SIMPLY SECTION THREE WHICH HAS TO DO WITH TRESPASS AND
SPYING IN PROTECTED AREAS.
PICKERING

UNQUOTE SCHNEIDER

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Disposition History: n/a
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